

NOTICE OF RULE MAKING

Pursuant to one or more of the following Arkansas Codes, 20-76-201(13), 20-10-211(a), 20-10-203(b), 20-76-433, 20-77-102, 20-77-107, 20-77-603, 25-10-129, the Director of the Division of Medical Services hereby issues the following proposed changes in the Medical Assistance Program under Title XIX of the Social Security Act:

Effective for claims for dates of service on or after November 1, 2003, when a recipient requests a refill of a controlled drug before 75% of the supply should have been used, the pharmacy provider will receive an edit message at the point of sale to alert the provider that the controlled drug is being requested early. A provider may request authorization for an override for an early refill by initiating a call to the Medicaid prescription drug help desk if he/she deems the early refill to be a medical necessity, and explaining the reason for the early refill. A manual override may be performed by the prescription drug help desk, rather than an automatic override at the point of sale. If medical necessity is determined after review of the recipient's profile information, the manual override will be approved. Upon approval, the prescription drug help desk will allow a one time early refill.

This is necessary to maintain the proper time frame in which the prescription is consumed based on days supply per directions by prescribing physician, thus enhancing patient safety and preventing overuse, misuse and abuse of controlled substances.

The proposed Arkansas Medicaid State Plan Amendment to providers is available for review at the Division of Medical Services, Program Planning and Development, 2nd floor Donaghey Plaza South Building, 7th and Main Streets, P. O. Box 1437, Slot S295, Little Rock, Arkansas 72203-1437. You may also access it on the Medicaid website (www.medicaid.state.ar.us), and download it from the "Proposed Rules For Public Comment" section of the website's *General* menu. Policy accessed from this location will be watermarked with the word "Proposed". All comments must be submitted in writing no later than August 14, 2003.

If you need this material in a different format, such as large print, contact our Americans with Disabilities Act Coordinator at 682-6789 or 1-877-708-8191. Both telephone numbers are voice and TDD.

The Arkansas Department of Human Services is in compliance with Titles VI and VII of the Civil Rights Act and is operated, managed and delivers services without regard to religion, disability, political affiliation, veteran status, age, race, color or national origin.

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Roy Jeffus, Interim Director
Division of Medical Services

Date: July 16 – July 18 2003